

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**  
June 10, 2013

Lyle W. Cayce  
Clerk

No. 12-40419

D.C. Docket No. 1:10-CV-124

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

JUL - 8 2013

TONY MUMFREY,

Plaintiff - Appellant

DAVID J. MALAND, CLERK  
BY  
DEPUTY DC

v.

CVS PHARMACY, INC.; MIKE COONEY; GARY LEBLANC; DOUGLAS  
JENNEY,

Defendants - Appellees

Appeal from the United States District Court for the  
Eastern District of Texas, Beaumont

Before REAVLEY, PRADO, and ELROD, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by  
counsel.

It is ordered and adjudged that the judgment of the District Court is  
affirmed.

IT IS FURTHER ORDERED that each party bear its own costs on  
appeal.

ISSUED AS MANDATE:

A True Copy  
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: B. Hille  
Deputy

New Orleans, Louisiana

JUL 02 2013